

United States

v.

Case No. 2:15-cr-00707-SRB

Abdul Malik Abdul Kareem

ATTACHMENT 1

Government Opening Statement in
United States v. Erick Jamal Hendricks
pp. 595-96, 620-47

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION

4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 vs.

Case No. 1:16CR265

Akron, Ohio

Thursday, March 8, 2018

7 ERICK JAMAL HENDRICKS,

8 Defendant.

9
10 TRANSCRIPT OF TRIAL
11 VOLUME 5, PAGES 595 THROUGH 821
12 BEFORE THE HONORABLE JOHN R. ADAMS
13 UNITED STATES DISTRICT JUDGE

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1 government is not required to prove, for example, that this
2 defendant was working with ISIS leaders in Syria or Iraq.
3 All that we're required to show is that he intended to
4 provide material support or resources to a designated
00:29:36 5 foreign terrorist organization.

6 So let's talk about what he did. You will hear from
7 not one, not two, not three, but six different witnesses
8 that will come in here and tell you that he tried to recruit
9 them, that he tried to radicalize them, that he tried to
00:29:55 10 indoctrinate them with ISIS propaganda, and that even in a
11 couple of instances, tried to get them to conduct violent
12 acts.

13 So you will hear evidence that some of these witnesses
14 were paid informants. But we would ask that you wait to
00:30:11 15 hear their testimony before you make a determination about
16 their credibility or their reliability because these are not
17 your typical informants. These are not the type of
18 informants you see on TV or movies.

19 All of these interactions, communications, occurred in
00:30:30 20 the spring of 2015. And they culminated on May 3, 2015 in
21 Garland, Texas, where a thwarted terrorist attack took
22 place.

23 Now, this defendant did not plan or participate in
24 this attack, nor is he on trial for this attack. But the
00:30:48 25 evidence will show that he was unequivocally tied to this

1 attack.

2 So let me tell you what happened on May 3, 2015.

3 Elkton Simpson and Nadir Soofi drove from Phoenix,
4 Arizona to Garland, Texas, to the Curtis Cullwell Center.
00:31:09 5 They were dressed in black and shielded in body armor.

6 Inside of the Curtis Cullwell Center were over 200
7 people who were there to attend a Prophet -- Draw the
8 Prophet Muhammad cartoon contest. These people had
9 purchased tickets to view cartoons and caricatures of the
00:31:29 10 Prophet Muhammad which our expert will tell you is offensive
11 to some Muslims.

12 So as the event was coming to a close, Simpson and
13 Soofi drove up to the facility. They stopped their car
14 approximately where that circle is on the slide, and they
00:31:43 15 got out.

16 Now, the evidence will show that between the two of
17 them they had six weapons, assault -- semi-assault weapons.
18 They had rifles. They had pistols, and they had over 15
19 rounds of ammunition and they began to fire.

00:31:59 20 What they didn't count on was the heroic actions of
21 one armed police officer who was able thwart their attack
22 and take down those terrorists. And he will testify in this
23 trial.

24 Ultimately that day, Simpson and Soofi lost their
00:32:19 25 lives on behalf of the ISIS. And this defendant was in

1 contact with Simpson just days before the attack.

2 He was calling him "brother" and "friend" just days
3 after the attack, and the evidence will show that he posted
4 a manifesto online taking credit for this attack on behalf
00:32:43 5 of the his friend just days after the attack.

6 But let me back up for a second. The evidence will
7 show that the defendant was in contact with one of the
8 Garland attackers, Simpson.

9 The evidence will also so that he was in contact with
00:32:59 10 an undercover FBI agent. That undercover FBI agent will
11 testify. And he will tell you that the defendant told him
12 he was in contact with senior leaders from ISIS. That agent
13 will also tell you that the defendant put him in contact
14 with Simpson, the Garland attacker just days before the
00:33:19 15 attacks.

16 And that agent will tell you that the reason for that
17 was that the defendant asked him to vet Simpson to see if he
18 would be a good ISIS recruit for his cell, for his network.

19 And this is a pattern that you will see throughout
00:33:32 20 this trial.

21 The defendant had a system for vetting new recruits,
22 that he used time and time again.

23 So let's talk about some of the patterns that you will
24 see in this trial.

00:33:44 25 What he would do is he would go on Twitter and find

1 asking the FBI undercover agent to vet Simpson, the Garland
2 attacker.

3 So these are patterns that you should pay attention to
4 during this trial.

00:35:13 5 So on May 2, 2015 -- and I know these screen shots are
6 blurry. Let me address that. You will see a lot of screen
7 shots throughout this trial. Some are better than others.
8 These in particular are somewhat blurry, but we will have
9 some that are better for you to view.

00:35:29 10 So on May 2, not only did the defendant put the
11 undercover agent in contact with Simpson, but he actually
12 told him to go to Garland, Texas. So this first text
13 message says -- not text message but message over this
14 communication platform.

00:35:46 15 "I wish someone could go to TX," Texas, and
16 "harass them during the night. A good solid protest. A
17 unique one-man protest."

18 He went on. And you can see the screen shot a little
19 clearer. "See what you and bro Juda can do. At least be
00:36:04 20 heard."

21 The evidence will show that bro Juda did a reference
22 to Elkton Simpson, Juda or Juba was an online moniker that
23 he would using.

24 And so the undercover agent went to Garland on May 3
00:36:16 25 and he went to the vicinity of the Draw the Muhammad cartoon

1 contest. And he will tell you that he was in communication
2 with the defendant throughout the day.

3 Here is example of one of those communications on May
4 3.

00:36:28 5 The defendant says, "Maintain distance and observe.
6 If you see that pig Pam" -- and Pam you will learn is a
7 reference to Pamela Geller, the organizer of the
8 event -- "make your voice," in quotes, "heard against her."

9 He then goes on to ask about security. He asks about
00:36:46 10 things he's casing the event. So he asks, "How is security?
11 How many?"

12 Some other questions he'll go on to ask is "How big is
13 the gathering? How big is the building? Do you see feds
14 there? Do you see snipers? How many media?"

00:36:59 15 Eventually this agent will tell you that he asked him
16 about weapons, and if he had a weapon that he could use.

17 And these communications continued almost up until the
18 moment that Simpson and Soofi got out of their car to
19 conduct their attack. And you will hear about all of this
00:37:15 20 in detail throughout this trial.

21 So where was the defendant when this was happening?
22 Well, the evidence will show that the defendant was in
23 Baltimore, Maryland meeting with another ISIS recruit. You
24 can see in this photo that the defendant is on the left
00:37:30 25 underneath the arrows and the recruit is on the right.

1 These are all areas -- again, you will be able to see
2 this document.

3 He also offered some final advice. He encouraged
4 brothers and sisters of the faith not to allow themselves to
00:39:09 5 be imprisoned. And here is an excerpt from this document.
6 He told them to stop going to jail willingly. "If your
7 cover is blown or you are waiting for them to convict you,
8 die shaheed." Shaheed is a martyr.

9 He goes on to say, "Stop going to jail, brothers.
00:39:26 10 Boobie trap your homes. Lay in wait for them. Never leave
11 your home without your AK-47 or your M16."

12 So, again, you will have this document.

13 So finally in this face-to-face meeting, the defendant
14 told this Baltimore witness that his goal was to creat a
00:39:47 15 sleeper cell, to be trained and housed in a secure compound,
16 that the purpose of the sleeper cell was to conduct attacks
17 in the United States, future targets included military
18 members whose information had been released by ISIS. And he
19 also again brought up the woman who organized the Draw the
00:40:04 20 Prophet Muhammad contest.

21 So these are all conversations that the defendant had
22 with the witness in person. And you will hear that
23 testimony.

24 After the attack, just a couple days later, the
00:40:17 25 defendant reached out to the same witness and pointed him to

1 a document online. This is the front page of that document
2 that he called the New Era and, we'll have our expert coming
3 in and explain this document to you. But he will tell you
4 that this is an ISIS flyer. And this document took credit
00:40:32 5 for the attack in Garland. And not only did it take credit
6 for the attack in Garland, but it also threatened future
7 attacks in the United States.

8 And the evidence will show that the defendant also
9 authored this document.

00:40:45 10 And we know that because we're going to bring in a
11 witness who posted it online at his direction. She will
12 tell you that he reached out to her, that he told her that
13 he was friends with the shooters, that one of the shooters
14 was a close brother who left a letter that he wanted
00:41:00 15 published after the attack. And that this document was
16 allegedly that letter.

17 So he forwarded the paragraphs of this document to
18 this woman, and she posted them online and she will tell you
19 why she did that.

00:41:14 20 He also asked her to send this document to fighters in
21 Syria, which she also did. And she will tell you why she
22 did that.

23 Now, ladies and gentlemen, you're still going to hear
24 from more recruits than that. You're going to hear from a
00:41:26 25 recruit whose actually in custody. He has been convicted of